

JAN 13 2006**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS****NOT FOR PUBLICATION****UNITED STATES COURT OF APPEALS****FOR THE NINTH CIRCUIT****UNITED STATES OF AMERICA,****Plaintiff - Appellee,****v.****FRANCISCO VILLALOBOS RAMOS,****Defendant - Appellant.****No. 04-50538****D.C. No. CR-03-00660-SJO-01****MEMORANDUM***

**Appeal from the United States District Court
for the Central District of California
S. James Otero, District Judge, Presiding**

Submitted January 9, 2006**

Before: HUG, O'SCANNLAIN, and SILVERMAN, Circuit Judges.

Francisco Villalobos Ramos appeals the 87-month sentence imposed following his guilty plea conviction for conspiracy to distribute and to possess with intent to distribute methamphetamine in violation of 21 U.S.C. § 846. We have jurisdiction under 28 U.S.C. § 1291.

*** This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.**

**** This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).**

We dismiss in light of the valid appeal waiver. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000) (stating that an appeal waiver is valid when it is entered into knowingly and voluntarily); *see also United States v. Cardenas*, 405 F.3d 1046, 1048 (9th Cir. 2005) (holding that the changes in sentencing law imposed by *United States v. Booker*, 543 U.S. 220 (2005), did not render waiver of appeal involuntary and unknowing).

The district court judge's pronouncements at sentencing regarding Villalobos Ramos' appeal rights do not change this result because they were made nearly six months after Villalobos Ramos had already validly waived his appellate rights. *See United States v. Lopez-Armenta*, 400 F.3d 1173, 1177 (9th Cir. 2005).

DISMISSED.